

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

CHARLENE D. RICE

PLAINTIFF

V.

CIVIL ACTION NO. 1:15-CV-182-SA-DAS

A&S TRANSPORTATION, INC.

DEFENDANT

ORDER

For all of the reasons fully explained in a separate memorandum opinion issued this same day, the Defendant's Motion for Partial Summary Judgment [55] is GRANTED in part, and DENIED in part. Summary judgment is GRANTED in the Defendant's favor on the all claims for damages related to the Plaintiff's knees, all claims related to lost wages and decreased earning capacity, all claims based on negligence per se, and on the issue of punitive damages. Summary judgment is DENIED as to the Plaintiff's claims for damages related to her right arm.

Because the Court here grants the Defendant's motion for summary judgment as to punitive damages, the Defendant's Motion to Bifurcate [70] the proceedings is MOOT.

The Defendant's Motion to Strike [53] is DENIED. Because the Plaintiff indicated that the following witnesses will not testify at trial, the Defendant's objection to their testimony is MOOT: Gallaher, Pillow, Watkins, Theriot, Mosley, Prewitt, Seigler, Taylor, Newell, Orender, Harris, Stronach, Roberson, and Green. Because the Plaintiff indicated that the following witnesses will not testify as to causation at trial, the Defendant's objection to their testimony is also MOOT: Tate, Rodgers, V. Gray, and Bartee. The Defendant's motion to strike Pritchard's testimony is DENIED without prejudice.

So ORDERED on this the 23rd day of February, 2017.

/s/ Sharion Aycok
UNITED STATES DISTRICT COURT JUDGE